

JCS76 U.S. PTO  
03/01

03-21-01

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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JC971 U.S. PRO  
09/813200  
03/20/01**UTILITY PATENT APPLICATION TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 015685.P095

First Named Inventor Dahlby et al.

Title: Dynamic Allocation and De-Allocation of Multiple Communication Channels for Bandwidth On-Demand

Express Mail Label No. EL752329405US

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, D. C. 20231

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)

## EXPRESS MAIL CERTIFICATE OF MAILING

2.  Applicant Claims Small Entity Status. (37 CFR 1.27)

3.  Specification (Total Pages 60)  
(preferred arrangement set forth below)
 

- Descriptive Title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

I hereby certify that I am causing the above to be deposited via the United States Postal Service "Mail Post Office to Addressee" service on the date above and that this paper or fee has been sent to the Assistant Commissioner for Patents, Washington, DC.

March 20, 2001

Date of mailing

April Worley

Name of Person Mailing

Signature

Date

4.  Drawings(s) (35 USC 113) (Total Sheets 8)

5.  Oath or Declaration (Total Pages \_\_\_\_)

- a.  Newly Executed (Original or Copy)
- b.  Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 17 completed)
  - i.  DELETIONS OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
  - c.  Unsigned.

6.  Application Data Sheet. (37 CFR 1.76)

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8.  Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

- a.  Computer Readable Form (CRF)
- b.  Specification Sequence Listing on
  - i.  CD-ROM or CD-R (2 copies); or
  - ii.  paper
- c.  Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet & documents(s))  
10.  a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)  
 b. Power of Attorney  
11.  English Translation Document (if applicable)  
12.  a. Information Disclosure Statement (IDS)/PTO-1449  
 b. Copies of IDS Citations  
13.  Preliminary Amendment  
14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  
15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)  
16.  Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.  
17.  Other: \_\_\_\_\_

**18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:**

Continuation       Divisional       Continuation-in-part (CIP)  
Of Prior Application No.: \_\_\_\_\_ Examiner \_\_\_\_\_ Group Art Unit \_\_\_\_\_

(which is a  continuation/  divisional/  CIP of prior application no. \_\_\_\_\_,  
which is a  continuation/  divisional/  CIP of prior application no. \_\_\_\_\_) (List entire chain of priority)

**For CONTINUATION AND DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18B. Statement under 37 CFR 3.73(b) for continuing application:**

The undersigned states that \_\_\_\_\_ (name of assignee) is  
the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an  
assignment recorded in the Patent and Trademark Office at Reel. No. \_\_\_\_\_ Frame No. \_\_\_\_\_  
(or a copy of which is attached).

**19. Correspondence Address**

Customer Number or Bar Code Label \_\_\_\_\_  
or \_\_\_\_\_ (Insert Customer No. or Attach Bar Code Label here)  
 Correspondence Address Below

NAME Gordon R. Lindeen III

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard

Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (303)740-1980 FAX (303)740-6962

Name (PRINT/TYPE): Gordon R. Lindeen III Registration No.: 33,192  
Signature: Gordon R. Lindeen III Date: 3/20/11

## FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT (\$) \$1014.00

## Complete if Known:

Application No. \_\_\_\_\_

Filing Date Concurrently HerewithFirst Named Inventor Dahlby, et al.Group Art Unit Not yet assignedExaminer Name Not yet assignedAttorney Docket No. 015685.P095

## METHOD OF PAYMENT (check one)

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666

Deposit Account Name \_\_\_\_\_

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

EXPRESS MAIL CERTIFICATE OF MAILING

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Applicant claims small entity status. See 37 CFR 1.27  
 2.  Payment Enclosed:  Check  
 Credit Card  
 Money Order  
 Other

Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

March 20, 2001

Date of Deposit

April Worley  
Name of Person Mailing Correspondence

Signature

Date  
3/20/01

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee	Fee	Fee	Fee	Fee Description
Fee Code	Fee Code	(\\$)	(\\$)			
101	201	710	355			Utility application filing fee
106	206	320	160			Design application filing fee
107	207	490	245			Plant filing fee
108	208	710	355			Reissue filing fee
114	214	150	75			Provisional application filing fee

SUBTOTAL (1) \$710.00

## 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
28	5		- 20** = 8 - 3** = 2	X 18.00 = 144.00 X 80.00 = 160.00	
				=	

\*\*Or number previously paid, if greater; For Reissues, see below.

Large Entity	Small Entity	Fee	Fee	Fee	Fee	Fee Description
Fee Code	Fee Code	(\\$)	(\\$)			
103	203	18	9			Claims in excess of 20
102	202	80	40			Independent claims in excess of 3
104	204	270	135			Multiple dependent claim, if not paid
109	209	80	40			**Reissue independent claims over original patent
110	210	18	9			**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 304.00

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	
Code	(\$)	Code	(\$)
105	130	205	65
127	50	227	25
139	130	139	130
147	2,520	147	2,520
112	920*	112	920*
113	1,840*	113	1,840*
115	110	215	55
116	390	216	195
117	890	217	445
118	1,390	218	695
128	1,890	228	945
119	310	219	155
120	310	220	155
121	270	221	135
138	1,510	138	1,510
140	110	240	55
141	1,240	241	620
142	1,240	242	620
143	440	243	220
144	600	244	300
122	130	122	130
123	130	123	130
126	180	126	180
581	40	581	40
146	710	246	355
149	710	249	355
179	710	279	355
169	900	169	900
Other fee (specify)			
Other fee (specify)			
SUBTOTAL (3) \$0.00			

\*Reduced by Basic Filing Fee Paid

#### SUBMITTED BY:

Typed or Printed Name: Gordon R. Lindeen III

Signature: [Signature] Date: 3/20/11

Reg. Number: 33,192 Telephone Number: 303-740-1980

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Serial/Patent No.: \_\_\_\_\_ Filing/Issue Date: Concurrently Herewith  
 Client: Starway Compa, Inc.  
 Title: Dynamical Allocation and De-allocation of Multiple Communication Channels for Bandwidth On-Demand  
 BSTZ File No.: 615685-P095 Atty/Secty Initials: GPI/amw  
 Date Mailed: March 20, 2001 Docket Due Date: \_\_\_\_\_  
 The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:  
 Amendment/Response (\_\_\_\_ pgs.)  
 Appeal Brief (\_\_\_\_ pgs.) (in triplicate)  
 Application - Utility (60 pgs., with cover and abstract)  
 Application - Rule 1.53(b) Continuation (\_\_\_\_ pgs.)  
 Application - Rule 1.53(b) Divisional (\_\_\_\_ pgs.)  
 Application - Rule 1.53(b) CIP (\_\_\_\_ pgs.)  
 Application - Rule 1.53(d) CPA Transmittal (\_\_\_\_ pgs.)  
 Application - Design (\_\_\_\_ pgs.)  
 Application - PCT (\_\_\_\_ pgs.)  
 Application - Provisional (\_\_\_\_ pgs.)  
 Assignment and Cover Sheet  
 Certificate of Mailing  
 Declaration & POA (\_\_\_\_ pgs.)  
 Disclosure Docs & Oig & Copy of Inventor Signed Letter (\_\_\_\_ pgs.)  
 Drawings: 10 # of sheets includes 6 figures  
 Express Mail No.: EL752329405US  Check No. 1337  
 \_\_\_\_\_ Month(s) Extension of Time Amt: 1014  
 Information Disclosure Statement & PTO-149 (\_\_\_\_ pgs.)  Check No. \_\_\_\_\_  
 Issue Fee Transmittal Amt: \_\_\_\_\_  
 Notice of Appeal  
 Petition for Extension of Time  
 Petition for \_\_\_\_\_  
 Postcard  
 Power of Attorney (\_\_\_\_ pgs.)  
 Preliminary Amendment (\_\_\_\_ pgs.)  
 Reply Brief (\_\_\_\_ pgs.)  
 Response to Notice of Missing Parts  
 Small Entity Declaration for Indep. Inventor/Small Business  
 Transmittal Letter, in duplicate  
 Fee Transmittal, in duplicate  
 Other: Request and Certification Form

EL752329405US

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Date of Deposit: March 20, 2001

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April Warkay  
 (Typed or printed name of person mailing paper or fee)

April Warkay  
 (Signature of person mailing paper or fee)

3/20/01  
 (Date signed)

## REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

First Named Inventor Dahlby, et al.

Title Dynamic Allocation and De-Allocation of Multiple Communication Channels for Bandwidth On-Demand  
 Attorney Docket No. 015685.P095

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

3/20/01

Date

Signature

Gordon R. Lindeen III

Typed or Printed Name

33,192

Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application.

**Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231

### EX-122 MAIL CERTIFICATE OR INFORMATION

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March 20, 2001

Date of Deposit

April Worley

Name of Person Mailing Correspondence

Shirley Aubrey

3/20/01

Signature

Date